



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 25 अप्रैल, 1989/5 वंशांच, 1911 (शक)

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-२, 25 अप्रैल, 1989

संख्या एल० आर० (डी) 14/88-लेजिस्लेशन.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 348 के खण्ड (३) द्वारा प्रदत्त अक्षियों का प्रयोग करते हुए, तारीख ६ अप्रैल, 1989 के हिमाचल प्रदेश राजपत्र (असाधारण) अंक में प्रकाशित, राष्ट्रपति महोदय द्वारा यथा अनुमोदित भारतीय स्टाम्प (हिमाचल प्रदेश संघीयता) अधिनियम, 1988 (1989 का अधिनियम संख्या ७) के प्राधिकृत पाठ को जन सांवारण के लिए राजपत्र हिमाचल प्रदेश में प्रकाशित करते हैं।

आदेश द्वारा,
राज कुमार महोजन,
सचिव (विधि) ।

[Authoritative English text of the Bharatiya Stamp (Himachal Pradesh Sanshodhan) Adhiniyam, 1988 (1989 ka Adhiniyan Samkhyan 7) as required under Clause (3) of Article 348 of the Constitution of India.]

Act No. 7 of 1989.

**THE INDIAN STAMP (HIMACHAL PRADESH AMENDMENT)
ACT, 1988**

(AS ASSENTED TO BY THE PRESIDENT ON 31ST MARCH, 1989)

AN
ACT

further to amend the Indian Stamp Act, 1899 (Central Act No. II of 1899) in its application to the State of Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-ninth Year of the Republic of India, as follows:—

Short title.

1. This Act may be called the Indian Stamp (Himachal Pradesh Amendment) Act, 1988.

Amendment of section 27. 2. For the words and brackets “The consideration (if any)” occurring in section 27 of the Indian Stamp Act, 1899 (hereinafter called as the principal Act), the words and signs “The consideration, if any, the market value of the property” shall be substituted.

Insertion of section 47-A. 3. After section 47 of the principal Act, the following new section shall be added, namely :—

“47-A. Instruments under-valued, how to be dealt with.—(1) If the Registering Officer, appointed under the Registration Act, 1908, while registering any instrument relating to the transfer of any property or the consideration, as the case may be, has not been truly set forth in the instrument, he may, after registering such instrument, refer the same to the Collector for determination of the market value or consideration, as the case may be, and the proper duty payable thereon.

2 of 1899.

16 of 1908.

(2) On receipt of reference under sub-section (1), the Collector shall, after giving the parties a reasonable opportunity of being heard and after holding an enquiry in such manner, as may be prescribed by rules, made under this Act, determine the market value or consideration and the duty, as aforesaid, and the deficient amount of duty, if any, shall be payable by the person liable to pay the duty.

(3) The Collector may, *suo moto* or on receipt of reference from the Inspector General of Registration or the Registrar of a District, in whose jurisdiction the property, or any portion thereof, which is the subject-matter of the instrument, is situated, appointed under the Registration Act, 1908, shall, within three years from the date of registration of any instrument, not already referred to him under sub-section (1), call for and examine the instrument for the purpose of satisfying himself as to the correctness of its market value or consideration, as the case may be, and the duty payable thereon and if, after such examination,

16 of 1908.

he has reason to believe that the market value or consideration has not been truly set forth in the instrument, he may determine the market value or consideration and the duty, as aforesaid, in accordance with the procedure provided for in sub-section (2), and the deficient amount of duty, if any, shall be payable by the person liable to pay the duty :

Provided that nothing in this sub-section shall apply to any instrument registered before the date of the commencement of the Himachal Stamp (Himachal Pradesh Amendment) Act, 1988.

- (1) Where for any reason the original document called for by the Collector under sub-section (3) is not produced or cannot be produced, the Collector may, after recording the reasons for its non-production, call for a certified copy of the entries of the document from the registering officer concerned and exercise the powers conferred on him under sub-section (3).
- (5) Any person aggrieved by an order of the Collector, under sub-section (2) or sub-section (3), may, within thirty days from the date of the order, prefer an appeal before the District Judge and all such appeals shall be heard and disposed of in such manner as may be prescribed by rules made under this Act.
- (6) For the purpose of this section "market value" of any property shall be estimated to be the price which, in the opinion of the Collector or the appellate authority, as the case may be, such property would have fetched, if sold in the open market on the date of execution of the instrument relating to the transfer of such property."

विधि विभाग

श्रधिसूचना

शिमला-2, 25 अप्रैल, 1989

संख्या एल० एल० आर० (डी) (6) 11/89-लेजिस्लेशन.—हिमाचल प्रदेश के राज्यपाल, भारत के मंविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए सारीख 22 अप्रैल, 1989 को अनुमोदित हिमाचल प्रदेश विनियोग (संख्यांक 2) विधेयक, 1989 (1989 का विधेयक संख्यांक 4) को 1989 के हिमाचल प्रदेश अधिनियम संख्यांक 8 के रूप में संविधान के अनुच्छेद 348 (3) के अधीन उसके प्राधिकृत पाठ सहित, हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,
राज कुमार महाजन,
सचिव (विधि)।

1989 का अधिनियम मंख्यांक 8.

हिमाचल प्रदेश विनियोग (संख्या 2) अधिनियम, 1989

(राज्यपाल महोदय द्वारा तारीख 22 अप्रैल, 1989 को यथा अनुमोदित)

विनीय वर्ष 1989-90 के लिए हिमाचल प्रदेश राज्य की संचित निधि में से सेवाओं के लिए कठिपय धन-राशियों के संदाय को प्राधिकृत करने और उनका विनियोग करने के लिए अधिनियम।

'भारत गणराज्य के चालीसवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

1. इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश विनियोग (संख्या 2) संक्षिप्त नाम¹ अधिनियम, 1989 है।

2. हिमाचल प्रदेश राज्य की संचित निधि में से अनुसूची के तृतीय स्तम्भ में विनिर्दिष्ट से अनधिक धन-राशियां, जिनका योग 11,25,11,61,000 रुपये (यारह अरब, पच्चीस करोड़, यारह लाख, इकसठ हजार रुपये) है, संदर्भ और उपयोगित की जाएं, जिनका वित्तीय वर्ष 1989-90 की अवधि में अनुसूची के द्वितीय स्तम्भ में विनिर्दिष्ट सेवाओं और प्रयोजनों से सम्बन्धित विभिन्न प्रभारों के संदाय को चुकाने के लिए उपयोग किया जाएगा।

हिमाचल
प्रदेश राज्य
की संचित
निधि में से
वित्तीय वर्ष
1989-90
के लिए

11,25,11,61,000
रुपये की राशि
जारी करना।

3. इस अधिनियम द्वारा हिमाचल प्रदेश राज्य की संचित निधि में से संदर्भ और उपयोगित करने के लिए प्राधिकृत धन-राशियों का उक्त वर्ष के सम्बन्ध में अनुसूची में अभिव्यक्त सेवाओं और प्रयोजनों के लिए विनियोजन किया जाएगा।

विनियोग।

अनुसूची

(धाराएं 2 और 3 देखें)

1	2	3	4
मांग संख्या	सेवाएं एवं प्रयोजन	विधान सभा द्वारा दत्तमत	निम्नलिखित राशियों से अनुधिक संचित निधि पर प्रभारित जोड़
1	विधान सभा और निर्वाचन (राजस्व)	रुपये 3,27,83,000	रुपये 4,10,000 3,31,93,000
2	राज्यपाल और मन्त्रिपरिषद् (राजस्व)	91,92,000	39,55,000 1,31,47,000
3	न्याय प्रशासन (राजस्व)	4,35,52,000	82,77,000 5,18,29,000
4	सामान्य प्रशासन (राजस्व) (पूँजी)	26,28,07,000 29,00,000	64,98,000 — 26,93,05,000 — 29,00,000
5	भू-राजस्व (राजस्व) (पूँजी)	14,70,24,000 10,90,000	— 14,70,24,000 — 10,90,000
6	आबकारी और कराधान (राजस्व)	5,35,78,000	— 5,35,78,000
7	पुलिस और सम्बद्ध संगठन (राजस्व)	42,61,05,000	— 42,61,05,000
8	शिक्षा, खेले तथा कला और संस्कृति (राजस्व) (पूँजी)	1,51,80,82,000 3,08,76,000	— 1,51,80,82,000 — 3,08,76,000
9	चिकित्सा और परिवार कल्याण (राजस्व) (पूँजी)	51,79,52,000 2,76,57,000	— 51,79,52,000 — 2,76,57,000
10	लोक निर्माण (राजस्व) (पूँजी)	48,63,98,000 5,23,01,000	— 48,63,98,000 — 5,23,01,000
11	कृषि (राजस्व) (पूँजी)	37,36,54,000 12,62,35,000	— 37,36,54,000 — 12,62,35,000
12	सिंचाई और बाढ़ नियंत्रण (राजस्व) (पूँजी)	17,29,34,000 19,30,19,000	— 17,29,34,000 — 19,30,19,000
13	भूमि और जल संरक्षण (राजस्व) (पूँजी)	10,70,35,000 83,12,000	— 10,70,35,000 — 83,12,000
14	पशु पालन और दुर्घट विकास (राजस्व) (पूँजी)	10,93,89,000 1,70,15,000	— 10,93,89,000 — 1,70,15,000
15	मत्स्य (राजस्व) (पूँजी)	1,25,96,000 43,75,000	— 1,25,96,000 — 43,75,000
16	वन और वन्य जीवन (राजस्व) (पूँजी)	40,68,12,000 1,73,06,000	— 40,68,12,000 — 1,73,06,000
17	मड़के और पुल (राजस्व) (पूँजी)	20,54,84,000 48,62,95,000	— 20,54,84,000 — 49,60,000 49,12,55,000
18	आपूर्ति, उद्योग और खनिज (राजस्व) (पूँजी)	28,57,57,000 6,22,74,000	— 28,57,57,000 — 6,22,74,000

1	2	3	
		रुपये,	रुपये
19	सामाजिक सुरक्षा, कल्याण (प्रोपालार महिन)	(राजस्व) (पूँजी)	19,87,87,000 77,36,000
20	प्रार्थन विकास	(राजस्व) (पूँजी)	22,71,45,000 5,00,000
21	सहकारिता	(राजस्व) (पूँजी)	5,24,01,000 5,11,48,000
22	खाद्य और भण्डारण	(राजस्व) (पूँजी)	3,93,32,000 14,05,89,000
23	जल और विद्युत विकास	(राजस्व) (पूँजी)	3,10,00,000 42,29,00,000
24	लेखन सामग्री और मुद्रण	(राजस्व) (पूँजी)	3,35,53,000 19,50,000
25	सड़क, जल परिवहन और नगर विभाग	(राजस्व) (पूँजी)	18,03,13,000 14,42,66,000
26	पर्यटन और आतिथ्य संगठन	(राजस्व) (पूँजी)	1,75,96,000 1,49,00,000
27	थ्रम और रोजगार	(राजस्व) (पूँजी)	3,34,28,000 62,65,000
28	जलपूर्ति, सफाई, आवास और नगर विकास	(राजस्व) (पूँजी)	44,50,58,000 20,46,99,000
29	वित्त	(राजस्व) (पूँजी)	53,53,16,000 —
30	सरकारी कर्मचारियों को क्रहण	(पूँजी)	3,31,00,000
31	जन-जातीय विकास	(राजस्व) (पूँजी)	41,43,01,000 18,06,90,000
	कुल जोड़ . .	9,61,77,62,000	1,63,33,99,000
	(राजस्व) . .	7,37,93,64,000	90,91,83,000
	(पूँजी) . .	2,23,83,98,000	72,42,16,000
			11,25,11,61,000
			8,28,85,47,000
			2,96,26,14,000

[Authoritative English text of the Himachal Pradesh Viniyog (Sankhyay 2) Adhiniyam, 1989 (1989 का Adhiniyam Sankhyayik 8) as required under Clus. (3) of Article 348 of the Constitution of India].

Act No. 8 of 1989.

**THE HIMACHAL PRADESH APPROPRIATION (NO. 2)
ACT, 1989**

(AS ASSENTED TO BY THE GOVERNOR ON 22ND APRIL, 1989)

AN

ACT

to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the State of Himachal Pradesh for the services for the financial year, 1989-90.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Fortieth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Himachal Pradesh Appropriation (No. 2) Act, 1989.

Issue of a sum of Rs. 11,25,11,61,000 out of the Consolidated Fund of the State of Himachal Pradesh for the financial year 1989-90.

2. From and out of the Consolidated Fund of the State of Himachal Pradesh there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of Rs. 11,25,11,61,000 (One thousand one hundred and twenty-five crores, eleven lakhs and sixty-one thousand rupees) towards defraying the several charges which will come in course of payment during the financial year, 1989-90, in respect of the services and purposes specified in column (2) of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Himachal Pradesh by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

Demand No.	Services and purposes	Sums not exceeding			Total
		Voted by the Legisla- tive Assem- bly	Charged on the Conso- lidated Fund		
1	Vidhan Sabha and Election	(Revenue)	3,27,83,000	4,10,000	3,31,93,000
2	Governor and Council of Ministers	(Revenue)	91,92,000	39,55,000	1,31,47,000
3	Administration of Justice	(Revenue)	4,35,52,000	82,77,000	5,18,29,000
4	General Administration	(Revenue)	26,28,07,000	64,98,000	26,93,05,000
		(Capital)	29,00,000	—	29,00,000
5	Land Revenue	(Revenue)	14,70,24,000	—	14,70,24,000
		(Capital)	10,90,000	—	10,90,000
6	Excise and Taxation	(Revenue)	5,35,78,000	—	5,35,78,000
7	Police and Allied Organisations	(Revenue)	42,61,05,000	—	42,61,05,000
8	Education, Sports and Arts and Culture	(Revenue)	1,51,80,82,000	—	1,51,80,82,000
		(Capital)	3,08,76,000	—	3,08,76,000
9	Health and Family Welfare	(Revenue)	51,79,52,000	—	51,79,52,000
		(Capital)	2,76,57,000	—	2,76,57,000
10	Public Works	(Revenue)	48,63,98,000	—	48,63,98,000
		(Capital)	5,23,01,000	—	5,23,01,000
11	Agriculture	(Revenue)	37,36,54,000	—	37,36,54,000
		(Capital)	12,62,35,000	—	12,62,35,000
12	Irrigation and Flood Control	(Revenue)	17,29,34,000	—	17,29,34,000
		(Capital)	19,30,19,000	—	19,30,19,000
13	Soil and Water Conservation	(Revenue)	10,70,35,000	—	10,0,35,000
		(Capital)	83,12,000	—	83,12,000
14	Animal Husbandry and Dairy Development	(Revenue)	10,93,89,000	—	10,93,89,000
		(Capital)	1,70,15,000	—	1,70,15,000
15	Fisheries	(Revenue)	1,25,96,000	—	1,25,96,000
		(Capital)	43,75,000	—	43,75,000
16	Forest and Wild Life	(Revenue)	40,68,12,000	—	40,68,12,000
		(Capital)	1,73,06,000	—	1,73,06,000
17	Roads and Bridges	(Revenue)	20,54,84,000	—	20,54,84,000
		(Capital)	48,62,95,000	49,60,000	49,12,55,000
18	Supplies, Industries and Minerals	(Revenue)	28,57,57,000	—	28,57,57,000
		(Capital)	6,22,74,000	—	6,22,74,000
19	Social Security, Welfare (including Nutrition)	(Revenue)	19,87,87,000	—	19,87,87,000
		(Capital)	77,36,000	—	77,36,000
20	Rural Development	(Revenue)	22,71,45,000	—	22,71,45,000
		(Capital)	5,00,000	—	5,00,000

1	2	3
		Rs.
21	Co-operation (Revenue) (Capital)	5,24,01,000 5,11,48,000
22	Food and Warehousing (Revenue) (Capital)	3,93,32,000 14,05,89,000
23	Water and Power Development (Revenue) (Capital)	3,10,00,000 42,29,00,000
24	Stationery and Printing (Revenue) (Capital)	3,35,53,000 19,50,000
25	Road, Water Transport and Civil Aviation (Revenue) (Capital)	18,03,13,000 14,42,66,000
26	Tourism and Hospitality Organisation (Revenue) (Capital)	1,75,96,000 1,49,00,000
27	Labour and Employment (Revenue) (Capital)	3,34,28,000 62,65,000
28	Water Supply, Sanitation, Housing and Urban Development (Revenue) (Capital)	44,50,58,000 20,46,99,000
29	Finance (Revenue) (Capital)	53,53,16,000 —
30	Loans to Government Servants (Capital)	3,31,00,000
31	Tribal Development (Revenue) (Capital)	41,43,01,000 18,06,90,000
Grand Total ..		9,61,77,62,000
(Revenue) ..		1,63,33,99,000
(Capital) ..		7,37,93,64,000
		90,91,83,000
		72,42,16,000
		2,23,83,98,000
		8,28,85,47,000
		2,96,26,14,000
		11,25,11,61,000
		71,92,56,000
		3,31,00,000
		41,43,01,000
		18,06,90,000